

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

DEREK WAYNE MONTEZ,

Petitioner,

v.

RICK THALER,
Director, Texas Dep't of Criminal Justice,
Institutional Division,

Respondent.

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2:09-CV-051

ORDER OVERRULING OBJECTIONS,
ADOPTING REPORT AND RECOMMENDATION
and DENYING PETITION FOR A WRIT OF HABEAS CORPUS

Petitioner has filed with this Court a petition for a federal writ of habeas corpus. On January 27, 2012, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that the instant habeas petition be denied. On February 13, 2012, petitioner filed objections to the Magistrate Judge's Report and Recommendation.

The undersigned United States District Judge has made an independent examination of the record in this case and has considered the objections made by petitioner to the Report and Recommendation. The objections filed by petitioner are hereby OVERRULED and the Magistrate Judge's Report and Recommendation is ADOPTED. Accordingly, the petition for a writ of habeas corpus is DENIED.

IT IS SO ORDERED.

ENTERED this 15th day of February, 2012.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE